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REMONSTRANCE

AND

DECLARATION

OF

The Knights, Gentry, and Commoners,
within the respective Counties of England,
and Wales, touching the late Writs of His
Highness the Lord Protector for the chu-
sing of a new Parliament.

With the several Arguments and Obser-
vations, truly denoting and setting forth, the
fundamental Laws of the Land, and the privi-
ledges of the people, for the free election of
their Members, without being over-
awed, or forced thereunto.

And certain Rules touching the Govern-
ment of a Nation, prescribing a way of limita-
tion for those in power, according to the Law
of God, the Law of Man, and the Customs
of a free born Nation.

James

Printed at London by Robert Wood, 1654.

REMONSTRANCE

AND

DECLARATION

OF

The Knights, Clergy, and Commons,
within the respective Counties of England,
and Wales, touching the late Wars of this
Kingdom, the Lord Protector for the same.
In a new Parliament.

With the several Arguments and Objections,
and denying and setting forth, the
Laws of the Land, and the Privileges
of the people, for the better
their Members, without being over-
saw, or forced the same.

And certain Rules touching the Govern-
ment of a Nation, prescribing a way of limita-
tion of the power according to the Law
of God, the Law of Man, and the Customs
of a free born Nation.

Printed at London by Robert Worl, 1624.

THE REMONSTRANCE

England and Wales

Touching the free election and choice of
the next Representative, &c.

W Hereas upon the Writ and
Summons of his Highness the
Lord Protector to the Sheriffs
of each County throughout England and
Wales, &c. for the electing and chusing of
new members for the next Representative
several

several Boroughs have had sundry meetings about a free and lawful election; whose Debates, at last, produced these Observations and Arguments, to wit; That he which ruleth without Law, or he that liveth without Law, is not a god, but a Tyrant. In order whereunto, it was conceived expedient to declare and shew what was Law, and what was not Law; and thus they remonstrate, That is Law which a people, Nation, City, or Commonwealth do intirely and unanimously consent unto; not being forced or over-awed to consent thereto. For, that is not law that is imposed upon a people, when neither they, nor those deputed by their lawful election, have given their consent thereunto, without being awed to such consent, or invited by expecting reward, or fearing displeasure if not consenting. To evince and make this obvious, there needs no more then a reciting of what Sir Edw. Cook reporteth of the ancient Custom of England, which without question was most commendable, wise, & prudent, and so plain and evident, That by the ancient Law, and Custom of the Parliament, a Proclamation of old time used to be, the which ought to be published at Westminster in the beginning of Parliament, That no man, upon pain of losing what he hath

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don, Westminster, or the Suburbs thereof, wear any Coat of Armor, or privy Coat, or go a med; nor any Games or strange Playes used, By reason that the High Court of Parliament should not be there. by disturbed, or the members thereof, which are to attend the business of the Commonwealth. And he further saith, That it was the custom of the Parliament, when any new device used to be moved in behalf of the King for his aid, or the like, the Comons might answer, That they tendered the Kings estate, and are ready to grant aid to the same, onely in this new advice they dare not agree without conference with their Countries. Whereby it appeareth, that such conference is warrantable by the Law of the Land, and Custom of Parliament. Indeed, this is so plain, it needs no exposition, but rather commendation, being drawn by the curiousst Pen that ever drew the lines of praise to prudence and Wisdom. And these Customs being followed, would make any Nation or People under Heaven happy. Man is but a creature, and is to be limited and bounded by Reason and Laws. Hence many great rivers lose themselves, and become formidable, by the smallest creatures, for that they have swelled over their banks and bounds to seek new Channels, or would not be bounded by their banks.

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It is the like with them in power, when they swell, and exceed the ordinary bounds, Law and Reason, then they become lost, contemptible, weak, and the worst of Creatures: for is it not as great an evil for those that have power, to live above Law, or out of the reach of Law, as for those that are not in power, to live or act contrary to Law, as disobedient refractory evil doers? Nay, saith a learned Philosopher, Armed improbity (which is leudness and dishonesty, as hypocrisie, deceit, covenant breaking, covetousness, ambition, and pride) is intolerable. Indeed the Nature of man is such when it is unlimited and many of those, that have aymed at great power, have (whilest they have been rising) checked and limited their exorbitant Lust, and have cloathed themselves with piety: but after they have obtained such power, then they have broke forth,

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forth; as Nero, who whilest he was rising,
and til he had been seated in the Empire five
years, restrained and limited himself, remo-
ving all that might stand in his Way: the
which being done, his lust and cruelties
broke forth. For at the first, he altogether
avoided meddling with publike affairs, and
saluted the people with all due respect, as
having in them the supream power: he would
not act or do in the Army any thing with-
out a Council of War: he admitted free
addresses: he feasted the people of Rome at
a thousand tables. Upon Augustus's death
he seemed unwilling to take upon him the
Empire (the which was notably reprov'd
by one of the Senate, in that he refused the
Name, but usurped the Power.) He conti-
nued in a gentle and orderly carriage, accept-
ing onely the Title of Right Honorable,
and would not be called Sacred; but instead
there-

thereof, Laborious and painful servant of the Commonwealth. If any called him Traytor or Usurper, he would not have them prosecuted, nor that the Senate should take notice thereof, to hinder the other affairs of the Commonwealth. He made an Oration in the Senate, to this effect, That a Prince is no other, nor ought to be no other then a servant to the people. But after he had settled the power in his own hands, he then made use of the souldiery to be the Keepers of the peace, and laid aside the people; for he dealt cruelly with Kings, imprisoned the Commons, and put them to excessive charges. The way for a people therefore, to prevent the receiving of evil from absolute Neroes, is, that limitations be upon those that have power; and that is the way for a people to preserve their liberties, priviledges, and immunities.



WILN 13.



